

1                   A bill to be entitled  
2           An act relating to ethics reform; repealing s. 11.061,  
3           F.S., relating to state, state university, and  
4           community college employee lobbyists; amending s.  
5           112.313, F.S.; revising applicability of certain  
6           provisions relating to contractual relationships;  
7           prohibiting a public officer or employee of an agency  
8           from soliciting specified employment or contractual  
9           relationships; requiring certain offers and  
10          solicitations of employment or contractual  
11          relationships to be disclosed to certain persons;  
12          requiring such disclosures to the Commission on Ethics  
13          in certain circumstances; authorizing the commission  
14          to investigate such disclosures; providing a  
15          definition; prohibiting legislators, statewide elected  
16          officers, appointed state officers, and agency  
17          directors from certain compensated representation for  
18          a specified period following vacation of office;  
19          deleting a provision prohibiting former legislators  
20          from acting as lobbyists before certain entities and  
21          persons for a specified period following vacation of  
22          office; providing applicability; creating s. 112.3181,  
23          F.S.; prohibiting statewide elected officers and  
24          legislators from soliciting employment offers or  
25          investment advice arising out of official or political

26 | activities; prohibiting such officers or legislators  
27 | from soliciting or accepting investment advice from or  
28 | soliciting or entering into certain profitmaking  
29 | relationships with or advised by lobbyists or  
30 | principals; providing definitions; requiring lobbyists  
31 | and principals to disclose certain prohibited  
32 | solicitations to the commission; authorizing the  
33 | commission to investigate such disclosures; providing  
34 | disclosure requirements; requiring the commission to  
35 | publish disclosures on its website; authorizing the  
36 | commission to adopt rules; amending s. 112.3185, F.S.;  
37 | providing definitions; prohibiting certain officers  
38 | and employees from soliciting employment or  
39 | contractual relationships from or negotiating  
40 | employment or contractual relationships with certain  
41 | employers; providing exceptions; requiring disclosure  
42 | of certain offers of employment or contractual  
43 | relationships; reenacting and amending s. 112.3215,  
44 | F.S.; revising definitions; requiring a lobbyist to  
45 | electronically register with the commission; revising  
46 | lobbyist registration, compensation report, principal  
47 | designation cancellation, and investigation  
48 | requirements; revising lobbyist registration fees;  
49 | authorizing the commission to dismiss certain  
50 | complaints and investigations; providing

51 applicability; providing an effective date.

52

53 Be It Enacted by the Legislature of the State of Florida:

54

55 Section 1. Section 11.061, Florida Statutes, is repealed.

56 Section 2. Subsections (7), (9), and (15) of section  
57 112.313, Florida Statutes, are amended to read:

58 112.313 Standards of conduct for public officers,  
59 employees of agencies, and local government attorneys.—

60 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

61 (a) A ~~Ne~~ public officer or employee of an agency may not  
62 ~~shall~~ have or hold any employment or contractual relationship  
63 with any business entity or any agency that ~~which~~ is subject to  
64 the regulation of, or is doing business with, the officer's or  
65 employee's ~~an~~ agency. This paragraph does not apply to ~~of which~~  
66 ~~he or she is an officer or employee, excluding those~~  
67 organizations and their officers who, when acting in their  
68 official capacity, enter into or negotiate a collective  
69 bargaining contract with the state or any municipality, county,  
70 or other political subdivision of the state. Such; ~~nor shall an~~  
71 officer or employee may also not ~~of an agency~~ have or hold any  
72 employment or contractual relationship that will create a  
73 continuing or frequently recurring conflict between his or her  
74 private interests and the performance of his or her public  
75 duties or that would impede the full and faithful discharge of

76 | his or her public duties.

77 |       1. When the agency referred to is a ~~that certain kind of~~  
 78 | special tax district created by general or special law and is  
 79 | limited specifically to constructing, maintaining, managing, and  
 80 | financing improvements in the land area over which the agency  
 81 | has jurisdiction, or when the agency has been organized pursuant  
 82 | to chapter 298, ~~then~~ employment with, or entering into a  
 83 | contractual relationship with, such a business entity by a  
 84 | public officer or employee of such an agency is ~~shall~~ not ~~be~~  
 85 | prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.  
 86 | However, conduct by such officer or employee that is prohibited  
 87 | by, or otherwise frustrates the intent of, this section must  
 88 | ~~shall~~ be deemed a conflict of interest in violation of the  
 89 | standards of conduct set forth by this section.

90 |       2. When the agency referred to is a legislative body and  
 91 | the regulatory power over the business entity resides in another  
 92 | agency, or when the regulatory power that ~~which~~ the legislative  
 93 | body exercises over the business entity or agency is strictly  
 94 | through the enactment of laws or ordinances, ~~then~~ employment  
 95 | with, or entering into a contractual relationship with, such a  
 96 | business entity by a public officer or employee of such a  
 97 | legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection  
 98 | or ~~be~~ deemed a conflict based on the regulatory power of the  
 99 | legislative body, unless prohibited or deemed a conflict by  
 100 | another law.

101           (b) This subsection does ~~shall~~ not prohibit a public  
102 officer or employee from practicing in a particular profession  
103 or occupation when such practice by persons holding such public  
104 office or employment is required or permitted by law or  
105 ordinance.

106           (c) A public officer or employee of an agency may not  
107 solicit any employment or contractual relationship prohibited by  
108 this subsection.

109           (d) A public officer or employee of an agency must  
110 disclose to the head of his or her agency, the general counsel  
111 or inspector general of his or her agency, or any other officer  
112 or attorney designated by the head of his or her agency any  
113 offer of employment or contractual relationship that is  
114 prohibited by this subsection.

115           (e) If a public officer or employee of an agency, or a  
116 person acting on his or her behalf, solicits employment with any  
117 business entity or any agency that is subject to the regulation  
118 of, or is doing business with, the officer's or employer's  
119 agency in violation of paragraph (c), the solicited business  
120 entity or agency must disclose such solicitation to the head of  
121 the officer's or employee's agency. If such solicitation is by  
122 or on behalf of the head of the agency or a member of a body  
123 that is the head of the agency, the solicited business entity or  
124 agency must disclose such solicitation to the commission. The  
125 commission may investigate such disclosure as if it were a valid

126 | complaint under this part.

127 | (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR  
128 | LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

129 | (a)1. It is the intent of the Legislature to implement by  
130 | statute the provisions of s. 8(e), Art. II of the State  
131 | Constitution relating to legislators, statewide elected  
132 | officers, appointed state officers, and designated public  
133 | employees.

134 | 2. As used in this paragraph:

135 | a. "Employee" means:

136 | (I) Any person employed in the executive or legislative  
137 | branch of government holding a position in the Senior Management  
138 | Service as defined in s. 110.402 or any person holding a  
139 | position in the Selected Exempt Service as defined in s. 110.602  
140 | or any person having authority over policy or procurement  
141 | employed by the Department of the Lottery.

142 | (II) The Auditor General, the director of the Office of  
143 | Program Policy Analysis and Government Accountability, the  
144 | Sergeant at Arms and Secretary of the Senate, and the Sergeant  
145 | at Arms and Clerk of the House of Representatives.

146 | (III) The executive director and deputy executive director  
147 | of the Commission on Ethics.

148 | (IV) An executive director, staff director, or deputy  
149 | staff director of each joint committee, standing committee, or  
150 | select committee of the Legislature; an executive director,

151 staff director, executive assistant, analyst, or attorney of the  
152 Office of the President of the Senate, the Office of the Speaker  
153 of the House of Representatives, the Senate Majority Party  
154 Office, Senate Minority Party Office, House Majority Party  
155 Office, or House Minority Party Office; or any person, hired on  
156 a contractual basis, having the power normally conferred upon  
157 such persons, by whatever title.

158 (V) The Chancellor and Vice Chancellors of the State  
159 University System; the general counsel to the Board of Governors  
160 of the State University System; and the president, provost, vice  
161 presidents, and deans of each state university.

162 (VI) Any person, including an other-personal-services  
163 employee, having the power normally conferred upon the positions  
164 referenced in this sub-subparagraph.

165 b. "Appointed state officer" means any member of an  
166 appointive board, commission, committee, council, or authority  
167 of the executive or legislative branch of state government whose  
168 powers, jurisdiction, and authority are not solely advisory and  
169 include the final determination or adjudication of any personal  
170 or property rights, duties, or obligations, other than those  
171 relative to its internal operations.

172 c. "State agency" means an entity of the legislative,  
173 executive, or judicial branch of state government over which the  
174 Legislature exercises plenary budgetary and statutory control.

175 d. "Agency director" means a secretary, as that term is

176 defined in s. 20.03, the chief administrative employee or  
177 officer of a department headed by the Governor and the Cabinet,  
178 or the chief administrative employee or officer of any body  
179 established or granted legislative or executive authority by the  
180 State Constitution, including, but not limited to, the State  
181 Board of Education, the Board of Governors of the State  
182 University System, the State Board of Administration, and the  
183 Fish and Wildlife Conservation Commission, but excluding the  
184 Legislature, the judiciary, or any constituent component of  
185 either. "Agency director" also includes any person, including an  
186 other-personal-services employee, having the power normally  
187 conferred upon such secretary, employee, or officer.

188 3.a. A ~~No~~ member of the Legislature, ~~appointed state~~  
189 ~~officer,~~ or statewide elected officer may not shall personally  
190 represent another person or entity for compensation before any  
191 state government body or state agency other than judicial  
192 tribunals or in settlement negotiations after the filing of a  
193 lawsuit the government body or agency of which the individual  
194 ~~was an officer or member~~ for a period of 6 2 years following  
195 vacation of office. A ~~No~~ member of the Legislature may not shall  
196 personally represent another person or entity for compensation  
197 during his or her term of office before any state agency other  
198 than judicial tribunals or in settlement negotiations after the  
199 filing of a lawsuit.

200 b. An appointed state officer may not personally represent

201 another person or entity for compensation before the government  
202 body or agency of which the individual was an officer or member  
203 for a period of 2 years following vacation of office ~~For a~~  
204 ~~period of 2 years following vacation of office, a former member~~  
205 ~~of the Legislature may not act as a lobbyist for compensation~~  
206 ~~before an executive branch agency, agency official, or employee.~~  
207 ~~The terms used in this sub-subparagraph have the same meanings~~  
208 ~~as provided in s. 112.3215.~~

209 4.a. An agency director who is so employed on or after  
210 January 8, 2019, may not personally represent another person or  
211 entity for compensation before any state agency other than the  
212 Legislature or judicial tribunals or in settlement negotiations  
213 after the filing of a lawsuit for a period of 2 years following  
214 vacation of position, except when employed by and representing  
215 another state agency.

216 b. An agency employee, including an agency employee who  
217 was employed on July 1, 2001, in a Career Service System  
218 position that was transferred to the Selected Exempt Service  
219 System under chapter 2001-43, Laws of Florida, may not  
220 personally represent another person or entity for compensation  
221 before the agency with which he or she was employed for a period  
222 of 2 years following vacation of position, except when ~~unless~~  
223 employed by and representing another state agency ~~of state~~  
224 ~~government.~~

225 5. Any person violating this paragraph is ~~shall be~~ subject

226 to the penalties provided in s. 112.317 and a civil penalty of  
227 an amount equal to the compensation which the person receives  
228 for the prohibited conduct.

229 ~~6. This paragraph is not applicable to:~~

230 ~~a. A person employed by the Legislature or other agency~~  
231 ~~prior to July 1, 1989;~~

232 ~~b. A person who was employed by the Legislature or other~~  
233 ~~agency on July 1, 1989, whether or not the person was a defined~~  
234 ~~employee on July 1, 1989;~~

235 ~~c. A person who was a defined employee of the State~~  
236 ~~University System or the Public Service Commission who held such~~  
237 ~~employment on December 31, 1994;~~

238 ~~d. A person who has reached normal retirement age as~~  
239 ~~defined in s. 121.021(29), and who has retired under the~~  
240 ~~provisions of chapter 121 by July 1, 1991; or~~

241 ~~e. Any appointed state officer whose term of office began~~  
242 ~~before January 1, 1995, unless reappointed to that office on or~~  
243 ~~after January 1, 1995.~~

244 (b) In addition to the provisions of this part which are  
245 applicable to legislators and legislative employees by virtue of  
246 their being public officers or employees, the conduct of members  
247 of the Legislature and legislative employees shall be governed  
248 by the ethical standards provided in the respective rules of the  
249 Senate or House of Representatives which are not in conflict  
250 herewith.

251           (15) (a) ADDITIONAL EXEMPTION.—~~An~~ ~~no~~ elected public officer  
 252 may not ~~shall~~ be held in violation of subsection (7) if the  
 253 officer maintains an employment relationship with an entity  
 254 which is currently a tax-exempt organization under s. 501(c) of  
 255 the Internal Revenue Code and which contracts with or otherwise  
 256 enters into a business relationship with the officer's agency  
 257 and:

258           1.(a) The officer's employment is not directly or  
 259 indirectly compensated as a result of such contract or business  
 260 relationship;

261           2.(b) The officer has in no way participated in the  
 262 agency's decision to contract or to enter into the business  
 263 relationship with his or her employer, whether by participating  
 264 in discussion at the meeting, by communicating with officers or  
 265 employees of the agency, or otherwise; and

266           3.(c) The officer abstains from voting on any matter which  
 267 may come before the agency involving the officer's employer,  
 268 publicly states to the assembly the nature of the officer's  
 269 interest in the matter from which he or she is abstaining, and  
 270 files a written memorandum as provided in s. 112.3143.

271           (b) This subsection does not apply to an officer who  
 272 begins his or her term of office on or after January 8, 2019.

273           Section 3. Section 112.3181, Florida Statutes, is created  
 274 to read:

275           112.3181 Additional standards for statewide elected

276 officers and legislators.—

277 (1) A statewide elected officer or member of the  
278 Legislature may not solicit an employment offer or investment  
279 advice arising out of official or political activities engaged  
280 in while he or she is an officer or legislator or a candidate  
281 for such office, except in the following circumstances:

282 (a) The officer or legislator may solicit or accept future  
283 employment, including professional partnerships, in the last 180  
284 days of his or her term of office if he or she is ineligible to  
285 run for reelection or has publicly announced, and filed a letter  
286 or other written notice with the qualifying officer with whom  
287 reelection qualification papers are filed, that he or she is not  
288 and does not intend to become a candidate for reelection.

289 (b) The officer or legislator may solicit or accept  
290 employment from any prospective employer in a profession or  
291 occupation in which he or she has formerly engaged, has been  
292 formally educated or trained, or is licensed unless such  
293 employment is prohibited by other general law.

294 (2) A statewide elected officer or member of the  
295 Legislature may not solicit or accept investment advice from or  
296 solicit or enter into an investment, joint venture, or other  
297 profitmaking relationship with a lobbyist or principal, as those  
298 terms are defined in s. 11.045 or s. 112.3215. However, the  
299 officer or legislator may buy or sell listed, publicly traded  
300 securities of a principal without the advice of a lobbyist or

301 principal unless such action violates s. 112.313. For purposes  
302 of this section, the phrase "investment, joint venture, or other  
303 profitmaking relationship" does not include an employment  
304 relationship or any enterprise organized to employ or engage the  
305 personal services of individuals including the officer or  
306 legislator. For purposes of this section, the terms "investment  
307 advice" and "profitmaking relationship" do not include a client  
308 relationship with a licensed investment broker, licensed  
309 investment advisor, or similarly licensed professional to whom  
310 the officer or legislator pays ordinary and reasonable fees for  
311 services, regardless of such broker's, advisor's, or  
312 professional's status as a lobbyist's principal or a nonlobbyist  
313 employee of such principal.

314 (3) A lobbyist or principal who receives a solicitation  
315 prohibited by this section by or on behalf of a statewide  
316 elected officer or member of the Legislature must disclose such  
317 solicitation to the commission. Any other person who receives  
318 such solicitation may disclose such solicitation to the  
319 commission. The commission may investigate any disclosure under  
320 this subsection as if it were a valid complaint under this part.

321 (4) Upon acceptance of:

322 (a) Any new employment with or increased compensation from  
323 an entity that receives state funds directly by appropriation;

324 (b) Any new employment with or increased compensation from  
325 an agency;

326        (c) Any new employment the offer of which arose out of  
327 official or political activities engaged in while he or she was  
328 a statewide elected officer, a member of the Legislature, or a  
329 candidate for such office; or

330        (d) Any new employment with or increased compensation from  
331 a lobbyist, a principal of a lobbyist, or a lobbying firm,  
332  
333 a statewide elected officer or a member of the Legislature must  
334 file with the commission a written statement disclosing the  
335 applicable paragraph of this subsection, employer, position,  
336 salary or other compensation, and effective date of employment  
337 or increased compensation. Such disclosure must be filed within  
338 30 days after he or she accepts the employment or increased  
339 compensation or before the effective date of employment or  
340 increased compensation, whichever date is earliest. With respect  
341 to employment or increased compensation accepted or effective  
342 between December 31, 2016, and July 1, 2017, the officer or  
343 legislator must file such disclosure within 30 days after July  
344 1, 2017. The commission shall publish such disclosures with the  
345 officer's or legislator's full financial disclosure on its  
346 website. The commission may adopt forms for disclosure and may  
347 adopt rules requiring electronic submission of the disclosure  
348 required by this subsection.

349        Section 4. Subsections (7) and (8) of section 112.3185,  
350 Florida Statutes, are renumbered as subsections (8) and (9),

351 respectively, present subsections (1) and (8) are amended, and a  
352 new subsection (7) is added to that section, to read:

353 112.3185 Additional standards for state officers and  
354 agency employees.—

355 (1) For the purposes of this section:

356 (a) "Contractual services" shall be defined as set forth  
357 in chapter 287.

358 (b) "Agency" means any state officer, department, board,  
359 commission, or council of the executive, legislative or judicial  
360 branch of state government and includes the Public Service  
361 Commission.

362 (c) "Covered officer" means a state officer who is serving  
363 in a position that is not an elective position. The term does  
364 not include a person who is appointed to fill an unexpired term  
365 of an elective office.

366 (d) "Negotiate" or "negotiation" means a response to an  
367 offer or solicitation of offers of an employment or contractual  
368 relationship, including the submission of a resume, an  
369 application, or any other information demonstrating interest on  
370 the part of a prospective employee and interviewing or engaging  
371 in other communication intended to lead to an offer or  
372 acceptance of an employment or contractual relationship.

373 (e) "Reporting employee" means any agency employee who is  
374 a reporting individual or procurement employee, as those terms  
375 are defined in s. 112.3148.

376        (f) "Restricted employer," with respect to any state  
377 officer or agency employee, means any entity that does business  
378 with or is subject to regulation by an agency employing the  
379 covered officer or reporting employee and any person or entity  
380 from whom the covered officer or reporting employee may not  
381 solicit a gift under s. 112.3148(3).

382        (g) "Subject to regulation by an agency" means subject to  
383 regulation by agency action as defined in s. 120.52(2) or its  
384 substantial equivalent. The term does not include regulatory  
385 power exercised strictly through the enactment of general laws.

386        (7) A covered officer or reporting employee who is  
387 employed in such position on or after January 8, 2019, may not  
388 solicit an employment or contractual relationship from or  
389 negotiate an employment or contractual relationship with a  
390 restricted employer except as provided in this subsection.

391        (a) A covered officer or reporting employee may solicit a  
392 future employment or contractual relationship from or negotiate  
393 a future employment or contractual relationship with a  
394 restricted employer within 90 days before the expiration of the  
395 officer's term of office, if the officer does not seek  
396 reappointment, or within 90 days before the officer's or  
397 employee's termination or retirement date, if he or she provides  
398 notice of termination or retirement to the head of his or her  
399 agency, the general counsel or inspector general of his or her  
400 agency, or any other officer or attorney designated by the head

401 of his or her agency.

402 (b) If a covered officer or reporting employee has been  
403 notified by his or her appointing authority or employing agency  
404 that he or she will be discharged from office or dismissed or  
405 terminated from employment, he or she may solicit a future  
406 employment or contractual relationship from or negotiate a  
407 future employment or contractual relationship with a restricted  
408 employer at any time after such notice but not sooner than 180  
409 days before his or her employment is scheduled to end.

410 (c) A covered officer or reporting employee must disclose  
411 to the head of his or her agency, the general counsel or  
412 inspector general of his or her agency, or any other officer or  
413 attorney designated by the head of his or her agency any offer  
414 from a restricted employer of an employment or contractual  
415 relationship. After such disclosure, a covered officer or  
416 reporting employee may negotiate an employment or contractual  
417 relationship with the restricted employer if expressly  
418 authorized by the head of his or her agency or the agency head's  
419 authorized designee. Permission may be withheld only if the  
420 agency head or his or her authorized designee determines such  
421 negotiation poses an actual or potential conflict with the  
422 interests of the state or the agency.

423 (d) This subsection does not authorize any employment or  
424 contractual relationship solicitation otherwise prohibited by  
425 general law.

426            (9)-(8) Subsections (1) through (6) of this section do not  
 427 apply ~~is not applicable~~ to any employee of the Public Service  
 428 Commission who was so employed on or before December 31, 1994,  
 429 unless so employed on or after January 8, 2019.

430            Section 5. Paragraphs (f) and (h) of subsection (1),  
 431 subsections (3) and (4), paragraph (a) of subsection (5), and  
 432 subsections (7) and (8) of section 112.3215, Florida Statutes,  
 433 are amended, and subsection (15) of that section is reenacted,  
 434 to read:

435            112.3215 Lobbying before the executive branch or the  
 436 Constitution Revision Commission; registration and reporting;  
 437 investigation by commission.—

438            (1) For the purposes of this section:

439            (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of  
 440 another person, to influence an agency with respect to a  
 441 decision of the agency in the area of policy or procurement or  
 442 an attempt to obtain the goodwill of an agency official or  
 443 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or  
 444 attempting to influence, on behalf of another, the Constitution  
 445 Revision Commission's action or nonaction through oral or  
 446 written communication or an attempt to obtain the goodwill of a  
 447 member or employee of the Constitution Revision Commission.

448            (h) "Lobbyist" means a person who is employed and receives  
 449 payment, or who contracts for economic consideration, for the  
 450 purpose of lobbying, or a person who is principally employed for

451 governmental affairs by another person or governmental entity to  
452 lobby on behalf of that other person or governmental entity. The  
453 term "principally employed for governmental affairs" means that  
454 one of the principal or most significant responsibilities of the  
455 employee to the employer is overseeing the employer's various  
456 relationships with government or representing the employer in  
457 its contacts with government. "Lobbyist" does not include a  
458 person who is:

459 1. An attorney, or any person, who represents a client in  
460 a judicial proceeding or in a formal administrative proceeding  
461 conducted pursuant to chapter 120 or any other formal hearing  
462 before an agency, board, commission, or authority of this state.

463 2. An officer or employee of an agency, ~~or of~~ a  
464 legislative or judicial branch entity, or a political  
465 subdivision of this state acting in the normal course of his or  
466 her office or duties.

467 3. A confidential informant who is providing, or wishes to  
468 provide, confidential information to be used for law enforcement  
469 purposes.

470 4. A person who seeks ~~lobbies~~ to procure a contract  
471 pursuant to chapter 287 which contract is less than the  
472 threshold for CATEGORY ONE as provided in s. 287.017.

473 (3) A person may not lobby an agency until such person has  
474 electronically registered as a lobbyist with the commission.  
475 Such registration shall be due upon initially being retained to

476 lobby and is renewable on a calendar year basis thereafter. The  
477 commission shall request authorization from the principal with  
478 the principal's name, business address, e-mail address, and  
479 telephone number to confirm that the registrant is authorized to  
480 represent the principal. ~~Upon registration the person shall~~  
481 ~~provide a statement signed by the principal or principal's~~  
482 ~~representative that the registrant is authorized to represent~~  
483 ~~the principal.~~ The principal or principal's representative shall  
484 also identify and designate its main business pursuant to the  
485 North American Industry Classification System (NAICS) six-digit  
486 numerical code that most accurately describes the principal's  
487 main business. Registration is not complete until the commission  
488 receives the principal's authorization and the registration fee  
489 ~~on the statement authorizing that lobbyist pursuant to a~~  
490 ~~classification system approved by the commission.~~ The  
491 registration shall require each lobbyist to attest to disclose,  
492 ~~under oath,~~ the following information:  
493       (a) Full legal name, e-mail address, telephone number,  
494 ~~Name~~ and business address;  
495       (b) The name, e-mail address, telephone number, and  
496 business address of each principal represented;  
497       (c) ~~His or her area of interest;~~  
498       ~~(d)~~ The agencies before which he or she will appear; and  
499       ~~(d)~~ ~~(e)~~ The existence of any direct or indirect business  
500 association, partnership, or financial relationship with any

501 employee of an agency with which he or she lobbies, or intends  
 502 to lobby, as disclosed in the registration.

503 (4) The annual lobbyist registration fee shall be set by  
 504 the commission by rule, not to exceed \$20 ~~\$40~~ for each principal  
 505 represented plus, for each principal, a fee not to exceed \$5 for  
 506 each agency after the first.

507 (5) (a) 1. Each lobbying firm shall file a compensation  
 508 report with the commission for each calendar quarter during any  
 509 portion of which one or more of the firm's lobbyists were  
 510 registered to represent a principal. The report shall include  
 511 the:

- 512 a. Full name, e-mail address, business address, and
- 513 telephone number of the lobbying firm;
- 514 b. Name of each of the firm's lobbyists; and
- 515 c. Total compensation provided or owed to the lobbying
- 516 firm from all principals for the reporting period, reported in
- 517 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
- 518 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
- 519 \$999,999; \$1 million or more.

520 2. For each principal represented by one or more of the  
 521 firm's lobbyists, the lobbying firm's compensation report shall  
 522 also include the:

- 523 a. Full name, e-mail address, business address, and
- 524 telephone number of the principal; and
- 525 b. Total compensation provided or owed to the lobbying

526 firm for the reporting period, reported in one of the following  
527 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
528 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
529 more. If the category "\$50,000 or more" is selected, the  
530 specific dollar amount of compensation must be reported, rounded  
531 up or down to the nearest \$1,000.

532 3. If the lobbying firm subcontracts work from another  
533 lobbying firm and not from the original principal:

534 a. The lobbying firm providing the work to be  
535 subcontracted shall be treated as the reporting lobbying firm's  
536 principal for reporting purposes under this paragraph; and

537 b. The reporting lobbying firm shall, for each lobbying  
538 firm identified under subparagraph 2., identify the name and  
539 address of the principal originating the lobbying work.

540 4. The senior partner, officer, or owner of the lobbying  
541 firm shall certify to the veracity and completeness of the  
542 information submitted pursuant to this paragraph.

543 (7) A lobbyist shall promptly send a written statement to  
544 the commission canceling the designation of registration for a  
545 principal in his or her registration upon termination of such  
546 ~~the lobbyist's representation of that principal.~~ The commission  
547 may cancel a lobbyist's designation of a principal upon the  
548 principal's notification that the lobbyist is no longer  
549 authorized to represent the principal ~~Notwithstanding this~~  
550 ~~requirement, the commission may remove the name of a lobbyist~~

551 ~~from the list of registered lobbyists if the principal notifies~~  
552 ~~the office that a person is no longer authorized to represent~~  
553 ~~that principal.~~

554 (8) (a) The commission shall investigate every sworn  
555 complaint that is filed with it alleging that a person covered  
556 by this section has failed to register, has failed to submit a  
557 compensation report, has made a prohibited expenditure, or has  
558 knowingly submitted false information in any report or  
559 registration required in this section.

560 (b) All proceedings, the complaint, and other records  
561 relating to the investigation are confidential and exempt from  
562 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
563 Constitution, and any meetings held pursuant to an investigation  
564 are exempt from the provisions of s. 286.011(1) and s. 24(b),  
565 Art. I of the State Constitution either until the alleged  
566 violator requests in writing that such investigation and  
567 associated records and meetings be made public or until the  
568 commission determines, based on the investigation, whether  
569 probable cause exists to believe that a violation has occurred.

570 (c) The commission shall investigate any lobbying firm,  
571 lobbyist, principal, agency, officer, or employee upon receipt  
572 of information from a sworn complaint or from a random audit of  
573 lobbying reports indicating that the individual or entity has  
574 intentionally failed to disclose any material fact or has  
575 knowingly submitted false information in any report required by

576 this section or by rules adopted pursuant to this section a  
577 ~~possible violation other than a late-filed report.~~

578 (d) Notwithstanding paragraphs (a)-(c), the commission may  
579 dismiss any complaint or investigation resulting from a random  
580 audit of lobbying reports, at any stage of disposition, if it  
581 determines that the public interest is not served by proceeding  
582 further, in which case the commission shall issue a public  
583 report stating with particularity its reasons for the dismissal.

584 (e)1. Records relating to an audit conducted pursuant to  
585 this section or an investigation conducted pursuant to this  
586 section or s. 112.32155 are confidential and exempt from s.  
587 119.07(1) and s. 24(a), Art. I of the State Constitution.

588 2. Any portion of a meeting wherein such investigation or  
589 audit is discussed is exempt from s. 286.011 and s. 24(b), Art.  
590 I of the State Constitution.

591 3. The exemptions no longer apply if the lobbying firm  
592 requests in writing that such investigation and associated  
593 records and meetings be made public or the commission determines  
594 there is probable cause that the audit reflects a violation of  
595 the reporting laws.

596 (15) The commission shall adopt rules to administer this  
597 section, which shall prescribe forms for registration and  
598 compensation reports, procedures for registration, and  
599 procedures that will prevent disclosure of information that is  
600 confidential as provided in this section.

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601           Section 6. The amendment made by this act to s.  
602 112.313(9)(a)3., Florida Statutes, applies only to those  
603 individuals who were members of the Legislature or statewide  
604 elected officers at any time after November 8, 2016.

605           Section 7. This act shall take effect July 1, 2017.